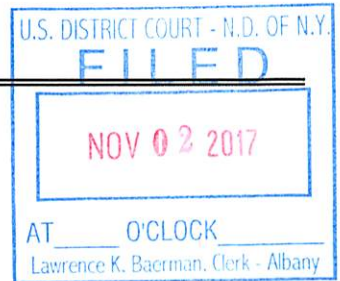


AO 91 (Rev. 11/11) Criminal Complaint



UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America
v.
Leonel Antonio RODRIGUEZ AYALA

Case No. 1:17mj 492 (DJS)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 24, 2017 in the county of Saratoga in the
Northern District of New York, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. 1326(a)

Reentry of a Previously Removed Alien, in violation of Title 8, United States Code, Section 1326(a).

This criminal complaint is based on these facts:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief: On or about October 24, 2017 in Saratoga County, in the State and Northern District of New York, the defendant, Leonel Antonio RODRIGUEZ AYALA, a native and citizen of Honduras, being an alien who has been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation,

☒ Continued on the attached sheet.

Complainant's signature

Deportation Officer Karim Rivera

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/02/2017City and state: Albany, New York

Judge's signature

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

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or removal is outstanding, entered and was thereafter found in the United States without the Attorney General of the United States, or his successor, the Secretary of Homeland Security, having expressly consented to his reapplication for admission into the United States.

In violation of Title 8 United States Code, Section(s) 1326(a).

I further state that I am an ICE Deportation Officer and that this complaint is based on the following facts:

On October 24, 2017, Leonel Antonio RODRIGUEZ AYALA was encountered by ICE Officers during a targeted enforcement operation in Saratoga Springs, NY. RODRIGUEZ AYALA was an ICE target who was known to have been previously ordered removed from the United States to Honduras. After positively identifying RODRIGUEZ AYALA, ICE officers advised RODRIGUEZ AYALA that they were immigration officers and asked for identification. RODRIGUEZ AYALA presented ICE officers with a Honduran National Registry Identification card that clearly identified RODRIGUEZ AYALA with a matching name, date of birth and photo. RODRIGUEZ AYALA was arrested subsequent to verifying biographic information which indicated RODRIGUEZ AYALA is an alien once previously removed from the United States. RODRIGUEZ AYALA was transported to the ICE office in Latham, NY where his fingerprints were entered into the Department of Homeland Security's IDENT fingerprint database. Through the IDENT fingerprint comparison it was determined that RODRIGUEZ AYALA is a citizen of Honduras, who has been previously removed from the United States to Honduras under alien number XXX XXX 739, on October 3, 2013, at Phoenix, AZ. A search of relevant immigration records indicates that RODRIGUEZ AYALA has not sought nor obtained the express permission of the Attorney General, or his successor, the Secretary of Homeland Security, to return to the United States following the removal.